

General Complaint

FILED

FEB 13 2017

Clerk, U.S. District Court
Texas Eastern

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS

SEAN OWENS

Case Number : 4:17-CV-107

List the full name of each plaintiff in this action.

VS.

NEOVIA LOGISTICS LLC

List the full name of each defendant in this action.
Do not use "et al".

Attach additional pages if necessary.

I. ATTEMPT TO SECURE COUNSEL:

Please answer the following concerning your attempt to secure counsel.

A. In the preparation of this suit, I have attempted to secure the aid of an attorney as follows: (circle one)

1. Employ Counsel
2. Court - Appointed Counsel
- ☒ 3. Lawyer Referral Service of the State Bar of Texas,
P. O. Box 12487, Austin, Texas 78711.

B. List the name(s) and address(es) of the attorney(s):

SOUTHERN METHODIST UNIVERSITY SCHOOL OF LAW CIVIL CLINIC

6425 BOAZ LANE

DALLAS, TX 75205

C. Results of the conference with counsel:

PENDING (CONTINGENT ON WILLINGNESS TO ACCEPT
CASE AS PRO BOND)

II. List previous lawsuits:

A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action or any other incidents? ☒ Yes ☐ No

B. If your answer to "A" is "yes", describe the lawsuit in the space below.
If there is more than one lawsuit, attach a separate piece of paper describing each.

1. Approximate file date of lawsuit: 4/11/2011

2. Parties to previous lawsuit(s):

Plaintiff S. OWENS

Defendant CEVA LOGISTICS

Attach a separate piece of paper for additional plaintiffs or defendants.

3. Identify the court the lawsuit was filed. If federal, name the district. If state, name the county.

SOUTHERN DISTRICT OF TEXAS

4. Docket number in other court. 4:11-CV-02237

5. Name of judge to whom the case was assigned.

LEE H. ROSENTHAL

6. Disposition: Was the case dismissed, appealed or still pending?

SETTLED

7. Approximate date of disposition. 4/12/2014

III. Parties to this suit:

A. List the full name and address of each plaintiff:

Pla #1 SEAN OWENS

3930 ACCENT DRIVE, APT. 2131

DALLAS, TX 75287

Pla #2 _____

B. List the full name of each defendant, their official position, place of employment and full mailing address.

Dft #1: NEOVIA LOGISTICS, LLC

6363 N. STATE HIGHWAY 161, SUITE #700

IRVING, TX 75038

Dft #2: _____

Dft #3 _____

Attach a separate sheet for additional parties.

IV: Statement of Claim:

State as briefly as possible the fact of your case. Describe how each defendant is involved. Include the names of other persons involved with dates and places. Do not give any legal arguments or cite cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need, attaching additional pages if necessary.

- ▶ PLAINTIFF WAS AN EMPLOYEE OF NEVIA LOGISTICS, LLC
FROM JANUARY 2015 - JANUARY 20TH, 2017.
- ▶ JOB TITLE WAS CONTINUOUS IMPROVEMENT SUPERVISOR
- ▶ SUPERVISED 10 EMPLOYEES DURING TENURE WITH COMPANY
- ▶ ENGAGED IN EXTENSIVE TRAVEL DOMESTICALLY FOR 2 YEARS
- ▶ SOME TRAVEL REQUIRED WEEKEND STAYS
- ▶ ALL TRAVEL REQUIRED OVERNIGHT STAYS FOR PERIODS OF
UP TO ONE WEEK ON AVERAGE (SOMETIMES LONGER)
- ▶ EMPLOYEE CLASSIFIED AS "SALARIED EXEMPT" BUT NO
JUSTIFICATION PROVIDED UPON REQUEST AS TO METHOD
OF CLASSIFICATION
- ▶ FREQUENTLY WORKED ON SITE AT TRAVEL DESTINATIONS
- ▶ FREQUENTLY WORKED AT HOTELS WHILE TRAVELING
- ▶ FREQUENTLY WORKED FROM HOME ON WEEKENDS AND
DURING WEEKDAYS WHEN NOT TRAVELING DURING EVENINGS,
WHILE ON VACATION AND WHEN NOT PHYSICALLY WORKING
IN HEADQUARTERS IN IRVING, TX
- ▶ FREQUENTLY WORKED AT AIRPORTS WHILE IN TRANSIT WAITING
- ▶ JOB REQUIRED NO SPECIAL SKILLS, ADVANCED KNOWLEDGE, COLLEGE
DEGREE OR CREATIVE SKILL-SETS AS OTHER TEAM MEMBERS
DO NOT POSSESS ONE OR MORE OF THE ABOVE MENTIONED
ITEMS.

- V. Relief: State Briefly exactly what you want the court to do for you. Make no legal arguments and do not cite cases or statutes. Attach additional pages if necessary.

I AM LOOKING FOR THIS COURT TO FIND THE DEFENDANT
LIABLE. I WOULD HUMBLLY ASK THIS COURT TO ORDER DEFENDANT
TO PAY ALL BACK OVERTIME WAGES, LIQUIDATED DAMAGES,
COURT COSTS, ANY ATTORNEY FEES, PUNITIVE DAMAGES IF ALLOWED,
OTHER RELATED WAGE SUMS STILL UNPAID AND INJUNCTIVE
RELIEF AS OTHER SIMILARLY SITUATED EMPLOYEES MAY BE
AFFECTED.

Signed this 6TH day of FEBRUARY, 20 17.
(Month) (Year)

I declare (certify, verify or state) under penalty of perjury that the foregoing is true and correct.

Executed on: February 6TH, 2017
Date

Leon Owens

Signature of each plaintiff